



FOLEY & LARDNER LLP
ATTORNEYS AT LAW
321 NORTH CLARK STREET
SUITE 2800
CHICAGO, IL 60610-4764
TELEPHONE: 312.832.4500
FACSIMILE: 312.832.4700
WWW.FOLEY.COM

RECEIVED
CENTRAL FAX CENTER

AUG 18 2005

FACSIMILE TRANSMISSION

Total # of Pages 2 (including this page)

TO:	PHONE #:	FAX #:
United States Patent and Trademark Office		(571) 273-8300

From : Marshall J. Brown
Email Address : mjbrown@foley.com
Sender's Direct Dial : 312.832.4358
Date : August 18, 2005
Client/Matter No : 089835-0110
User ID No : 0194

MESSAGE:

Please enter into the record of United States Patent Application No. 10/633,337, filed August 1, 2003.

If there are any problems with this transmission or if you have not received all of the pages, please call 312.832.4500.

Operator:	Time Sent:	Return Original To: Marshall J. Brown
-----------	------------	--

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Attorney Docket No.: 089835-0110

RECEIVED
CENTRAL FAX CENTER

AUG 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tisma et al.

Title: SYSTEM AND METHOD FOR
ASSEMBLING A PACKAGE
WITH A FLIP-TOP

Appl. No.: 10/633,337

Filing Date: 8/1/2003

Examiner: Sameh Tawfik

Art Unit: 3721

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to the
United States Patent and Trademark Office, Alexandria,
Virginia on the date below.

Laura Markham
(Printed Name)
Laura Markham
(Signature)
8/18/05
(Date of Deposit)

AFFIDAVIT OF MARSHALL J. BROWN

I, MARSHALL J. BROWN, having been duly sworn, depose and state as follows:

1. I am an attorney for the law firm of Foley & Lardner, LLP in Chicago, Illinois.
2. On August 1, 2003, I filed a patent application entitled "System and Method for Assembling a Package With a Flip-Top." This application has since been accorded the serial number 10/633,337 and an official filing date of August 1, 2003.
3. On, February 24, 2004, I visited the offices of SWF Companies, Tisma Division, located at 1099 Estes Avenue, Elk Grove Village, IL 60007.
4. During this visit, I met with Petar Tisma, one of the named inventors for U.S. Patent Application No. 10/633,337. During this meeting, I showed Mr. Tisma a copy of the application as originally filed, and I asked Mr. Tisma to sign a Declaration/Power of Attorney and Assignment for the application. Mr. Tisma refused to sign either document.

FURTHER AFFIANT SAYETH NOT.

Dated: August 18, 2005By M.J.B.
Marshall J. Brown